

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No. 09/364,315  
Attorney Docket No. A8491 / ST9-99-078

**REMARKS**

Applicant acknowledges that the Examiner has withdrawn the application from appeal and reopened prosecution by issuing a non-final Office Action.

As an initial matter, Applicant amends claims 3, 13 and 23, 34 and 41 to place them in dependent form and cancels claims 50-55, such that claims 1, 11, 21, 31 and 38 are all of the independent claims pending in the application. Applicant also amends claim 6 to recite that “the step of modifying the number of access objects in the access vector is performed while the system is operating”. Claims 16 and 26 are similarly amended. Claims 7-8, 17-18 and 27-28 are amended accordingly to correct their dependency.

It is respectfully submitted that the amendments to claims 6, 16 and 26 are not made for reasons of patentability, but rather to obtain an expanded scope of protection by reciting the disclosed (yet previously unclaimed) feature of updating the accessing vector while the system is operating. It is also respectfully submitted that the amendments to claims 7-8, 17-18 and 27-28 are not made for reasons of patentability, but to further clarify that claims 7-8, 17-18 and 27-28 more properly depend from claims 1, 16 and 26, respectively, as amended.

The Examiner rejects claims 1-55 under 35 U.S.C. § 102(e) as allegedly being anticipated by newly applied U.S. Patent No. 5,940,865 to Ohzora et al. (hereinafter “Ohzora”). Thus, the Examiner’s position is that Ohzora discloses each and every feature of every one of pending claims 1-55.

Applicant amends independent claim 1 to recite the feature of “modifying the number of access objects in the access vector.” Claims 11, 21, 31 and 38 are similarly amended. Ohzora

fails to disclose or suggest this feature. Instead, Ohzora discloses that upon receiving an access demand from a user, a slot assignment allocating means 2 determines, based on a user management table 2a, the read/write restrictions placed on the user (Ohzora: col. 5, lines 17-26). Then, according to Ohzora, the slot assignment allocating means 2 compares the result of the determination with an access schedule table 2b to allocate to the user making the access demand a slot that is not yet allocated to other users from among those slots whose read/write flags agree with the read/write restriction on the user (*Id.*). After the slot is allocated, the contents of the access schedule table 2b are updated (*Id.*).

In Ohzora, while the status of a slot may change (*e.g.*, between being allocated to a particular user and being VACANT), the total number of slots S represented in the access schedule table 2b is fixed. Thus, Ohzora fails to disclose or suggest “modifying the number of access objects in the access vector,” as recited in claim 1.

In view of the above, it is respectfully submitted that claim 1 is not anticipated by Ohzora. Claims 11, 21, 31 and 38 recite features similar to those recited in claim 1 and, thus, are not anticipated by Ohzora based on a rationale analogous to that set forth above for claim 1. Consequently, claims 2-10, 12-20, 22-30, 32-37 and 39-49 are not anticipated by Ohzora at least by virtue of their dependency.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

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